

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

TEKEVA D. SHAW,

Plaintiff,

v.

Case No. 2:24-cv-02459-MSN-atc

KFC (TASTY CHICKEN), KENYA LITTLE, AND
MELONTINA SPINEY,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Magistrate Judge’s Report and Recommendation (ECF No. 8 “Report”), entered on November 15, 2024. The Report recommends that Plaintiff Tekeva D. Shaw’s claims under Title VII against Defendants Kenya Little and Melontina Spiney be dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief can be granted. The Report further orders the issuance of process for Defendant KFC.

The Plaintiff had fourteen (14) days to submit objections to the Report. (ECF No. 8 at PageID 25.) To date, Plaintiff has not submitted any objections.

STANDARD OF REVIEW

Congress enacted 28 U.S.C. § 636 to relieve the burden on the federal judiciary by permitting the assignment of district court duties to magistrate judges. *See United States v. Curtis*, 237 F.3d 598, 602 (6th Cir. 2001) (citing *Gomez v. United States*, 490 U.S. 858, 869–70 (1989)); *see also Baker v. Peterson*, 67 F. App’x 308, 310 (6th Cir. 2003). For dispositive matters, “[t]he district judge must determine *de novo* any part of the magistrate judge’s disposition that has been

properly objected to.” *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. §636(b)(1). After reviewing the evidence, the court is free to accept, reject, or modify the magistrate judge’s proposed findings or recommendations. 28 U.S.C. § 636(b)(1). The district court is not required to review—under a *de novo* or any other standard—those aspects of the report and recommendation to which no objection is made. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). The district court should adopt the magistrate judge’s findings and rulings to which no specific objection is filed. *See id.* at 151.

DISCUSSION AND CONCLUSION

The Magistrate Judge issued her Report on November 15, 2024. (ECF No. 8.) The Plaintiff had until December 5, 2024, to submit any objections to the Report’s findings.¹ To date, no objections have been filed. The Court has reviewed the Report for clear error and finds none.

Accordingly, the Court **ADOPTS** the Report and Recommendation in its entirety. Plaintiff’s claim against Defendants Kenya Little and Melontina Spiney are **DISMISSED WITH PREJUDICE**. The Court notes that pursuant to the Report, the United States Marshals issued service to Defendant KFC on November 18, 2024. (ECF No. 9.)

IT IS SO ORDERED, this 6th day of December, 2024.

s/ Mark S. Norris

MARK S. NORRIS

UNITED STATES DISTRICT JUDGE

¹ Pursuant to Federal Rule of Civil Procedure 6(d), when a party is served by mail under Rule 5(b)(2)(C), three additional days are added to the period in which they may act.